

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated June 1, 2007. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-21 are currently pending in the Application. Claims 1, 12 and 19 are independent claims.

Applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents.

In the Office Action, claims 12-18 are objected to for allegedly being in improper dependent form. Without agreeing with the Examiner and merely to advance prosecution, claim 12 is amended to remove the alleged informality noted by the Examiner. It is respectfully submitted that claims 12-18 are in proper dependent form. Accordingly, withdrawal of the objection to claims 12-18 is respectfully requested.

Claim 2 is rejected under 35 U.S.C. §112, second paragraph as being indefinite due to connecting a receiver to a database. It is respectfully submitted that based on the present claim construct, the receiver itself could well have processing capability (please

see Abstract wherein object 124 is referred to as "computer 124") or the receiver may be connected to the database through some other device, such as the base station. However, to forward prosecution of the present application, claim 2 is amended herein to reflect that the "first base station is coupled to a database ...". Accordingly, it is respectfully submitted that Claim 2 is in proper form and it is respectfully requested that this rejection be withdrawn.

Claims 1-2, 11-12 and 17-18 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,892,441 to Woolley ("Woolley"). Claims 19-21 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent Publication No. 2001/0040513 to McDonald ("McDonald"). Claims 3 and 13 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Woolley in view of U.S. Patent No. 6,433,685 to Struble ("Struble"). Claims 4 and 14 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Woolley in view of U.S. Patent No. 5,495,853 to Yasushi ("Yasushi"). Claims 5 and 15 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Woolley in view of a publication titled "RFID Tag Reader Uses FSK To Avoid Collisions, Electronic Design, October 28, 1999 to Lee ("Lee").

Claim 6 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Woolley. Claim 7 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Woolley in view of U.S. Patent No. 3,930,220 to Shawhan ("Shawhan"). Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Woolley in view of Lee. Claims 9 and 16 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Woolley as applied to claims 1 and 12. Claim 10 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Woolley in view of McDonald.

It is respectfully submitted that claims 1-21 are allowable over any combination of Woolley, McDonald, Struble, Yasushi, Lee and Shawhan for at least the following reasons.

Woolley shows asset 12 having asset tags 16 linked to a remote operations center 13 and a local monitoring device 15 (see, FIG. 1 and accompanying description contained in col. 16, lines 10-20). The asset tags communicate a location of an asset to the operations center when in communication with the local monitoring device (see, col. 16, lines 53-57).

Similarly, McDonald shows that an "article contains a tag operating as a transmitter and receiver. Tag-readers in the defined geographic areas transmit RF signals and in response, the

tag transmits RF signals received by the tag-reader. By knowing the areas in which the tag-readers are located, a system tracks the article by monitoring the tag-readers communicating with the tag." (See, McDonald, Abstract.)

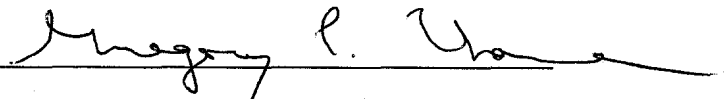
It is respectfully submitted that the system of Claim 1 is not anticipated or made obvious by the teachings of Woolley and/or McDonald. For example, Woolley and/or McDonald does not disclose or suggest, a system that amongst other patentable elements, comprises (illustrative emphasis added) "[a]n object positioning system, comprising: a first base station for determining a location of an object based upon an object-related signal; an object-attachable tag; and a portable transceiver, comprising: a receiver arrangement for receiving a signal from the tag; a signal processor for converting the signal into the object-related signal; and a transmitter arrangement for sending the object-related signal to the first base station, after the portable transceiver stops receiving the signal from the tag" as required by Claim 1, and as substantially required by each of Claims 12 and 19. Each of Struble, Yasushi, Lee and Shawhan are introduced for allegedly showing elements of the dependent claims and as such, do nothing to cure the deficiencies in each of Woolley and McDonald.

Based on the foregoing, the Applicants respectfully submit that independent Claims 1, 12 and 19 are patentable over Woolley and/or McDonald and notice to this effect is earnestly solicited. Claims 2-11, 13-18 and 20-21 respectively depend from one of Claims 1, 12 and 19 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. For example, Woolley and/or McDonald do not disclose or suggest "wherein the transmitter arrangement is configured to only send the object-related signal to the first base station when the portable transceiver stops receiving the signal from the tag" as substantially required by each of claims 4 and 14. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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